



General Assembly

January Session, 2001

***Amendment***

LCO No. 7818

Offered by:

REP. SAN ANGELO, 131<sup>st</sup> Dist.

REP. JARJURA, 74<sup>th</sup> Dist.

REP. DELGOBBO, 70<sup>th</sup> Dist.

REP. DIAMANTIS, 79<sup>th</sup> Dist.

REP. FERRARI, 62<sup>nd</sup> Dist.

To: Senate Bill No. 1402

File No. 139

Cal. No. 582

*(As Amended by Senate Schedules "A" and "D")*

**"AN ACT CONCERNING A SINGLE STATE HANDGUN PERMIT."**

1 Strike out everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 29-28 of the general statutes is repealed and the  
4 following is substituted in lieu thereof:

5 (a) No person who sells ten or more pistols or revolvers in a  
6 calendar year or is a federally-licensed firearm dealer shall advertise,  
7 sell, deliver, or offer or expose for sale or delivery, or have in [his] such  
8 person's possession with intent to sell or deliver, any pistol or revolver  
9 at retail without having a permit therefor issued as [hereinafter]  
10 provided in this subsection. The chief of police or, where there is no  
11 chief of police, the warden of the borough or the first selectman of the

town, as the case may be, may, upon the application of any person, issue a permit in such form as may be prescribed by the Commissioner of Public Safety for the sale at retail of pistols and revolvers within the jurisdiction of the authority issuing such permit. No permit for the sale at retail of any pistol or revolver shall be issued unless the applicant holds a valid eligibility certificate for a pistol or revolver issued pursuant to section 29-36f or a valid state permit to carry a pistol or revolver issued pursuant to subsection (b) of this section and the applicant submits documentation sufficient to establish that local zoning requirements have been met for the location where the sale is to take place except that any person selling or exchanging a pistol or revolver for the enhancement of a personal collection or for a hobby or who sells all or part of [his] such person's personal collection of pistols or revolvers shall not be required to submit such documentation for the location where the sale or exchange is to take place.

(b) Upon the application of any person having a bona fide residence or place of business within the jurisdiction of any such authority, [or upon the application of any bona fide resident of the United States having a permit or license to carry any firearm issued by the authority of any state or subdivision of the United States,] such chief of police, warden or selectman may issue a temporary state permit to such person to carry a pistol or revolver within the [jurisdiction of the authority issuing the same] state, provided such authority shall find that such applicant intends to make no use of any pistol or revolver which such applicant may be permitted to carry [thereunder] under such permit other than a lawful use and that such person is a suitable person to receive such permit. No state or temporary state permit to carry a pistol or revolver shall be issued under this subsection if the applicant (1) has failed to successfully complete a course approved by the Commissioner of Public Safety in the safety and use of pistols and revolvers including, but not limited to, a safety or training course in the use of pistols and revolvers available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National

46 Rifle Association or the Department of Environmental Protection and a  
47 safety or training course in the use of pistols or revolvers conducted by  
48 an instructor certified by the state or the National Rifle Association, (2)  
49 has been convicted of a felony or of a violation of subsection (c) of  
50 section 21a-279, section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96,  
51 53a-175, 53a-176, 53a-178 or 53a-181d, (3) has been convicted as  
52 delinquent for the commission of a serious juvenile offense, as defined  
53 in section 46b-120, (4) has been discharged from custody within the  
54 preceding twenty years after having been found not guilty of a crime  
55 by reason of mental disease or defect pursuant to section 53a-13, (5)  
56 has been confined in a hospital for persons with psychiatric  
57 disabilities, as defined in section 17a-495, within the preceding twelve  
58 months by order of a probate court, (6) is subject to a restraining or  
59 protective order issued by a court in a case involving the use,  
60 attempted use or threatened use of physical force against another  
61 person, (7) is subject to a firearms seizure order issued pursuant to  
62 subsection (d) of section 29-38c after notice and hearing, [or] (8) is an  
63 alien illegally or unlawfully in the United States, or (9) is less than  
64 twenty-one years of age. Nothing in this section shall require any  
65 person who holds a valid permit to carry a pistol or revolver on  
66 October 1, 1994, to participate in any additional training in the safety  
67 and use of pistols and revolvers. Upon issuance of a temporary state  
68 permit to the applicant, the local authority shall forward the original  
69 application to the commissioner. Not later than sixty days after  
70 receiving a temporary state permit, an applicant shall appear at a  
71 location designated by the commissioner to receive the state permit.  
72 Said commissioner may [, upon application,] then issue, to any holder  
73 of any [such] temporary state permit, a state permit to carry a pistol or  
74 revolver within the state. [Each permit to carry any pistol or revolver  
75 shall be issued in triplicate and one of the copies issued by said  
76 commissioner shall be delivered to the person to whom issued, one  
77 shall be delivered forthwith to the authority issuing the local permit  
78 and one shall be retained by said commissioner, and the local authority  
79 issuing any such permit shall forthwith deliver one of such copies to  
80 the person to whom issued and one copy to said commissioner and

81 shall retain one of such copies.] Upon issuance of the state permit, the  
82 commissioner shall forward a record of such permit to the local  
83 authority issuing the temporary state permit. The commissioner shall  
84 retain records of all applications, whether approved or denied. The  
85 copy of the state permit delivered to the permittee shall be laminated  
86 and shall contain a full-face photograph of such permittee. A person  
87 holding a state permit issued pursuant to this subsection shall notify  
88 the issuing authority within two business days of any change of such  
89 person's address. The notification shall include the old address and the  
90 new address of such person.

91 (c) No issuing authority may require any sworn member of the  
92 Department of Public Safety or an organized local police department to  
93 furnish [his] such sworn member's residence address in a permit  
94 application. The issuing authority shall allow each such sworn  
95 member who has a permit to carry a pistol or revolver [on May 26,  
96 1992,] issued by such authority, to revise [his] such member's  
97 application to include [his] a business or post office address in lieu of  
98 [his] the residence address. The issuing authority shall notify each such  
99 member of [his] the right to revise such application.

100 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the  
101 name and address of a person issued a permit to sell at retail pistols  
102 and revolvers pursuant to subsection (a) of this section or a state or a  
103 temporary state permit to carry [pistols and revolvers] a pistol or  
104 revolver pursuant to subsection (b) of this section, or a local permit to  
105 carry pistols and revolvers issued by local authorities prior to the  
106 effective date of this act, shall be confidential and shall not be  
107 disclosed, except (1) such information may be disclosed to law  
108 enforcement officials acting in the performance of their duties, (2) [an]  
109 the issuing authority may disclose such information to the extent  
110 necessary to comply with a request made pursuant to section 29-33 for  
111 verification that such state or temporary state permit is still valid and  
112 has not been suspended or revoked, and the local authority may  
113 disclose such information to the extent necessary to comply with a  
114 request made pursuant to section 29-33 for verification that a local

115 permit is still valid and has not been suspended or revoked, and (3)  
116 such information may be disclosed to the Commissioner of Mental  
117 Health and Addiction Services to carry out the provisions of  
118 subsection (c) of section 17a-500.

119 (e) The issuance of [a] any permit to carry a pistol or revolver [under  
120 subsection (b) of this section] does not thereby authorize the  
121 possession or carrying of a pistol or revolver in any premises where  
122 the possession or carrying of a pistol or revolver is otherwise  
123 prohibited by law or is prohibited by the person who owns or exercises  
124 control over such premises.

125 (f) Any bona fide resident of the United States having no bona fide  
126 residence or place of business within the jurisdiction of any local  
127 authority in the state, but who has a permit or license to carry a pistol  
128 or revolver issued by the authority of another state or subdivision of  
129 the United States, may apply directly to the Commissioner of Public  
130 Safety for a permit to carry a pistol or revolver in this state. All  
131 provisions of subsections (b), (c), (d) and (e) of this section shall apply  
132 to applications for a permit received by the commissioner under this  
133 subsection.

134 Sec. 2. Section 29-28a of the general statutes is repealed and the  
135 following is substituted in lieu thereof:

136 (a) Requests for temporary state permits under section 29-28, as  
137 amended by this act, shall be submitted to the [issuing authority] chief  
138 of police, or, where there is no chief of police, to the warden of the  
139 borough or the first selectman of the town, as the case may be, on  
140 application forms prescribed by the Commissioner of Public Safety.  
141 Upon written request by any person for a temporary state permit not  
142 on a prescribed application form, or upon request by any person for  
143 such application form, the [issuing] local authority shall supply such  
144 forms. When any such request is made in person at the office of the  
145 [issuing] local authority, the local authority shall supply such  
146 application form immediately. When any such request is made in any

147 other manner, the local authority shall supply such application form  
148 not later than one week after receiving such request. If such  
149 application form is not supplied within the time [limited] limits  
150 required by this section, the request therefor shall constitute a  
151 sufficient application. If any [issuing] local authority fails to supply an  
152 application form upon the request of any person, such person may  
153 request an application form from the Commissioner of Public Safety or  
154 any barracks of the Division of State Police, and the time limits and  
155 procedures set forth in this section for handling requests for such  
156 forms shall be applicable.

157 (b) The [issuing] local authority shall, not later than eight weeks  
158 after a sufficient application for a temporary state permit has been  
159 made, inform the applicant that [his] such applicant's request for a  
160 temporary state permit has been approved or denied. The local  
161 authority shall forward a copy of the application indicating approval  
162 or denial of the temporary state permit to the Commissioner of Public  
163 Safety. If the local authority has denied the application for a temporary  
164 state permit, no state permit may be issued. The commissioner shall,  
165 not later than eight weeks after receiving an application indicating  
166 approval from the local authority, inform the applicant in writing that  
167 the applicant's application for a state permit has been approved or  
168 denied, or that the results of the national criminal history records  
169 check have not been received. If grounds for denial become known  
170 after a temporary state permit has been obtained, the temporary state  
171 permit shall be immediately revoked pursuant to section 29-32, as  
172 amended by this act.

173 Sec. 3. Section 29-29 of the general statutes is repealed and the  
174 following is substituted in lieu thereof:

175 (a) No temporary state permit for carrying any pistol or revolver  
176 shall be issued under the provisions of section 29-28, as amended by  
177 this act, unless the applicant for the same gives to the [issuing] local  
178 authority, upon its request, full information concerning [his] the  
179 applicant's criminal record, and such [issuing] local authority shall

180 thereupon take a full description of such applicant and make an  
181 investigation concerning [his] the applicant's suitability to carry any  
182 such weapons. The [issuing] local authority shall take the fingerprints  
183 of such applicant unless the [issuing] local authority determines that  
184 the fingerprints of such applicant have been previously taken and [his]  
185 the applicant's identity established, and such applicant presents  
186 identification that the [issuing] local authority verifies as valid. The  
187 [issuing] local authority shall record the date the fingerprints were  
188 taken in the applicant's file and, within five business days of such date,  
189 shall forward such fingerprints to the Commissioner of Public Safety,  
190 who shall forward them to the Federal Bureau of Investigation for a  
191 national criminal history records check. The [issuing] local authority  
192 may, in [his] its discretion, issue [such] a temporary state permit before  
193 a [report from said bureau] national criminal history records check  
194 relative to such applicant's record has been received. Upon receipt of  
195 [such report, the issuing authority] the results of such national criminal  
196 history records check, the commissioner shall send a copy of the  
197 results of such national criminal history records check to the local  
198 authority, which shall inform the applicant and render a decision on  
199 the application within one week of the receipt of [the report] such  
200 results. If such [report has] results have not been received within eight  
201 weeks after a sufficient application for a permit has been made, the  
202 [issuing] local authority shall inform the applicant of such delay, in  
203 writing. No temporary state permit shall be issued if the [issuing] local  
204 authority has reason to believe the applicant has ever been convicted  
205 of a felony, or that any other condition exists for which the issuance of  
206 a permit for possession of a pistol or revolver is prohibited under state  
207 or federal law.

208 (b) The commissioner may investigate any applicant for a state  
209 permit and shall investigate each applicant for renewal of a state  
210 permit to ensure that such applicant is eligible under state law for such  
211 permit or for renewal of such permit.

212 (c) No state permit may be issued unless either the local authority or  
213 the commissioner has received the results of the national criminal

214 history records check.

215 Sec. 4. Section 29-30 of the general statutes is repealed and the  
216 following is substituted in lieu thereof:

217 (a) The fee for each permit originally issued under the provisions of  
218 subsection (a) of section 29-28, as amended by this act, for the sale at  
219 retail of pistols and revolvers shall be one hundred dollars and for  
220 each renewal thereof one hundred dollars. The fee for each state  
221 permit originally issued under the provisions of subsection (b) of  
222 section 29-28, as amended by this act, for the carrying of pistols and  
223 revolvers shall be [thirty-five dollars and for each renewal thereof  
224 thirty-five dollars. Such fees shall be paid to the authority issuing the  
225 same and by such authority to the municipality wherein issued or the  
226 state, as the case may be] seventy dollars plus sufficient funds as  
227 required to be transmitted to the Federal Bureau of Investigation to  
228 cover the cost of a national criminal history records check. The local  
229 authority shall forward sufficient funds for the national criminal  
230 history records check to the commissioner no later than five business  
231 days after receipt by the local authority of the application for the  
232 temporary state permit. Thirty-five dollars shall be retained by the  
233 local authority. Upon approval by the local authority of the application  
234 for a temporary state permit, thirty-five dollars shall be sent to the  
235 commissioner. The fee to renew each state permit originally issued  
236 under the provisions of subsection (b) of section 29-28, as amended by  
237 this act, shall be thirty-five dollars. Upon deposit of such fees in the  
238 General Fund, ten dollars of each fee shall be credited within thirty  
239 days to the appropriation for the Department of Public Safety to a  
240 separate nonlapsing account for the purposes of the issuance of  
241 permits under subsections (a) and (b) of section 29-28, as amended by  
242 this act.

243 (b) A local permit originally issued [under the provisions of section  
244 29-28] before the effective date of this act, whether for the sale at retail  
245 of pistols and revolvers or for the carrying of pistols and revolvers,  
246 shall expire five years after the date it becomes effective and each



247 renewal thereof shall expire five years after the expiration date of the  
248 permit being renewed. On and after the effective date of this act, no  
249 local permit for the carrying of pistols and revolvers shall be renewed.

250 (c) A state permit originally issued under the provisions of section  
251 29-28, as amended by this act, for the carrying of pistols and revolvers  
252 shall expire five years after the date [it] such permit becomes effective  
253 and each renewal thereof shall expire five years after the expiration  
254 date of the state permit being renewed and such renewal shall not be  
255 contingent on the renewal or issuance of a local permit. A temporary  
256 state permit issued for the carrying of pistols and revolvers shall expire  
257 sixty days after the date it becomes effective, and may not be renewed.

258 (d) The renewal fee required pursuant to subsection (a) of this  
259 section shall apply for each renewal which is requested not earlier than  
260 thirty-one days before, and not later than thirty-one days after, the  
261 expiration date of the state permit being renewed.

262 (e) No fee or portion thereof paid under the provisions of this  
263 section for issuance or renewal of a state permit shall be refundable  
264 except if [the] such permit for which the fee or portion thereof was  
265 paid was not issued or renewed. The portion of the fee expended on  
266 the national criminal history records check for any such permit that  
267 was not issued or renewed shall not be refunded.

268 (f) The issuing authority shall send a notice of the expiration of a  
269 state permit to carry a pistol or revolver, issued pursuant to section 29-  
270 28, as amended by this act, to the holder of such permit, by first class  
271 mail, not less than ninety days before such expiration, and shall  
272 enclose [therein] with such notice a form for the renewal of said state  
273 permit. A state permit to carry a pistol or revolver, issued pursuant to  
274 section 29-28, as amended by this act, shall be valid for a period of  
275 ninety days [from] after the expiration date, except this provision shall  
276 not apply to any state permit to carry a pistol or revolver which has  
277 been revoked or for which revocation is pending, pursuant to section  
278 29-32, as amended by this act.

279 Sec. 5. Section 29-32 of the general statutes is repealed and the  
280 following is substituted in lieu thereof:

281 (a) For the purposes of this section, "conviction" means the entry of a  
282 judgment of conviction by any court of competent jurisdiction.

283 (b) Any state permit or temporary state permit for the carrying of  
284 any pistol or revolver may be revoked by the [authority issuing the  
285 same] Commissioner of Public Safety for cause and shall be revoked by  
286 [the authority issuing the same] said commissioner upon conviction of  
287 the holder of such permit of a felony or of any misdemeanor specified  
288 in subsection (b) of section 29-28, as amended by this act, or upon the  
289 occurrence of any event which would have disqualified the holder  
290 from being issued the state permit or temporary state permit pursuant  
291 to subsection (b) of section 29-28, as amended by this act. [For the  
292 purposes of this section, "conviction" means the entry of a judgment of  
293 conviction by any court of competent jurisdiction.] Upon the  
294 revocation of any state permit or temporary state permit, the person  
295 whose state permit or temporary state permit is revoked shall be  
296 notified in writing and such state permit or temporary state permit  
297 shall be forthwith delivered to the [authority issuing the same. Upon  
298 the revocation of any local permit, the authority issuing the same shall  
299 forthwith notify the Commissioner of Public Safety and, upon the  
300 revocation of any permit issued by said commissioner, he shall  
301 forthwith notify the authority issuing such local permit, if any, which  
302 the records of said commissioner show as having issued a currently  
303 valid permit to the holder of the revoked state permit] commissioner.  
304 Any law enforcement authority shall confiscate and immediately  
305 forward to the commissioner any state permit or temporary state  
306 permit that is illegally possessed by any person. The commissioner  
307 may revoke the state permit or temporary state permit based upon the  
308 commissioner's own investigation or upon the request of any law  
309 enforcement agency. Any person who fails to surrender [such] any  
310 permit within five days of notification in writing of revocation thereof  
311 shall be guilty of a class C misdemeanor.

312       (c) Any local permit for the carrying of a pistol or revolver issued  
313 prior to the effective date of this act may be revoked by the authority  
314 issuing the same for cause, and shall be revoked by the authority  
315 issuing the same upon conviction of the holder of such permit of a  
316 felony or of any misdemeanor specified in subsection (b) of section 29-  
317 28, as amended by this act, or upon the occurrence of any event which  
318 would have disqualified the holder from being issued such local  
319 permit. Upon the revocation of any local permit, the person whose  
320 local permit is revoked shall be notified in writing and such permit  
321 shall be forthwith delivered to the authority issuing the same. Upon  
322 the revocation of any local permit, the authority issuing the same shall  
323 forthwith notify the commissioner. Upon the revocation of any permit  
324 issued by the commissioner, the commissioner shall forthwith notify  
325 any local authority which the records of the commissioner show as  
326 having issued a currently valid local permit to the holder of the permit  
327 revoked by the commissioner. Any person who fails to surrender such  
328 permit within five days of notification in writing or revocation thereof  
329 shall be guilty of a class C misdemeanor.

330       Sec. 6. Section 29-35 of the general statutes is repealed and the  
331 following is substituted in lieu thereof:

332       (a) No person shall carry any pistol or revolver upon one's person,  
333 except when such person is within the dwelling house or place of  
334 business of such person, without a permit to carry the same issued as  
335 provided in section 29-28, as amended by this act. The provisions of  
336 this subsection shall not apply to the carrying of any pistol or revolver  
337 by any parole officer or peace officer of this state, or parole officer or  
338 peace officer of any other state while engaged in the pursuit of official  
339 duties, or federal marshal or federal law enforcement agent, or to any  
340 member of the armed forces of the United States, as defined by section  
341 27-103, or of this state, as defined by section 27-2, when on duty or  
342 going to or from duty, or to any member of any military organization  
343 when on parade or when going to or from any place of assembly, or to  
344 the transportation of pistols or revolvers as merchandise, or to any  
345 person transporting any pistol or revolver while contained in the

346 package in which it was originally wrapped at the time of sale and  
347 while transporting the same from the place of sale to the purchaser's  
348 residence or place of business, or to any person removing such  
349 person's household goods or effects from one place to another, or to  
350 any person while transporting any such pistol or revolver from such  
351 person's place of residence or business to a place or individual where  
352 or by whom such pistol or revolver is to be repaired or while returning  
353 to such person's place of residence or business after the same has been  
354 repaired, or to any person transporting a pistol or revolver in or  
355 through the state for the purpose of taking part in competitions, taking  
356 part in formal pistol or revolver training, repairing such pistol or  
357 revolver or attending any meeting or exhibition of an organized  
358 collectors' group if such person is a bona fide resident of the United  
359 States and is permitted to possess and carry a pistol or revolver in the  
360 state or subdivision of the United States in which such person resides,  
361 or to any person transporting a pistol or revolver to and from a testing  
362 range at the request of the issuing authority, or to any person  
363 transporting an antique pistol or revolver, as defined in section 29-33.  
364 For the purposes of this subsection, "formal pistol or revolver training"  
365 means pistol or revolver training at a locally approved or permitted  
366 firing range or training facility, and "transporting a pistol or revolver"  
367 means transporting a pistol or revolver that is unloaded and, if such  
368 pistol or revolver is being transported in a motor vehicle, is not readily  
369 accessible or directly accessible from the passenger compartment of the  
370 vehicle or, if such pistol or revolver is being transported in a motor  
371 vehicle that does not have a [passenger compartment, is] compartment  
372 separate from the passenger compartment, such pistol or revolver shall  
373 be contained in a locked container other than the glove compartment  
374 or console. Nothing in this section shall be construed to prohibit the  
375 carrying of a pistol or revolver during formal pistol or revolver  
376 training or repair.

377 (b) The holder of a permit issued pursuant to section 29-28, as  
378 amended by this act, shall carry such permit upon one's person while  
379 carrying such pistol or revolver.

380 Sec. 7. (NEW) (a) As used in this section:

381 (1) "Firearms evidence databank" means a computer-based system  
382 that scans a test fire and stores an image of such test fire in a manner  
383 suitable for retrieval and comparison to other test fires and to other  
384 evidence in a case;

385 (2) "Handgun" means any firearm capable of firing rim-fire or  
386 center-fire ammunition and designed or built to be fired with one  
387 hand;

388 (3) "Laboratory" means the Division of Scientific Services forensic  
389 science laboratory within the Department of Public Safety;

390 (4) "Police department" means the Division of State Police within the  
391 Department of Public Safety or an organized local police department;

392 (5) "Test fire" means discharged ammunition consisting of a  
393 cartridge case or a bullet or a fragment thereof, collected after a  
394 handgun is fired and containing sufficient microscopical characteristics  
395 to compare to other discharged ammunition or to determine the  
396 handgun from which the ammunition was fired.

397 (b) (1) The Division of Scientific Services shall establish a firearms  
398 evidence databank. Test fire evidence submitted to the laboratory or  
399 collected from handguns submitted to the laboratory shall be entered  
400 into such databank in accordance with specific procedures adopted by  
401 the Commissioner of Public Safety, in the regulations adopted  
402 pursuant to subsection (f) of this section.

403 (2) The firearms evidence databank may be used by laboratory  
404 personnel to (A) compare two or more cartridge cases, bullets or other  
405 projectiles submitted to the laboratory or produced at the laboratory  
406 from a handgun, or (B) upon the request of a police department as part  
407 of a criminal case investigation, verify by microscopic examination any  
408 resulting match, and shall produce a report stating the results of such a  
409 search.

410 (3) Any image of a cartridge case, bullet or fragment thereof that is  
411 not matched by a search of the databank shall be stored in the  
412 databank for future searches.

413 (4) The Division of Scientific Services may permit a firearms section  
414 of a police department that complies with all laboratory guidelines and  
415 regulations adopted by the commissioner pursuant to subsection (f) of  
416 this section regarding the operation of the firearms evidence databank  
417 to (A) collect test fires from handguns that come into the custody of the  
418 police department, (B) set up a remote terminal to enter test fire images  
419 directly into the databank, and (C) search the databank.

420 (c) (1) Except as provided in subdivision (4) of subsection (b) of this  
421 section and subsection (d) of this section, a police department shall  
422 submit to the laboratory any handgun that comes into police custody  
423 as the result of a criminal investigation, as found property, or for  
424 destruction, prior to the return or the destruction of the handgun.

425 (2) The laboratory shall collect a test fire from each submitted  
426 handgun within sixty days of submission. The laboratory shall label  
427 the test fire with the handgun manufacturer, type of weapon, serial  
428 number, date of the test fire and name of the person collecting the test  
429 fire.

430 (d) (1) A police department shall collect a test fire from every  
431 handgun issued by that department to an employee not later than six  
432 months after the effective date of this section. On and after the effective  
433 date of this section, a police department shall collect a test fire from  
434 every handgun to be issued by that department before the handgun is  
435 so issued. Any police department may request the assistance of the  
436 Division of State Police or the laboratory to collect a test fire.

437 (2) The police department shall seal the test fire in a tamper-evident  
438 manner and label the package with the handgun manufacturer,  
439 handgun type, serial number and the name of the person collecting the  
440 test fire. The police department shall submit the test fire and two intact  
441 cartridges of the same type of ammunition used for the test fire to the

laboratory.

(e) The laboratory may share the information in the firearms evidence databank with other law enforcement agencies, both within and outside the state, and may participate in a national firearms evidence databank program.

(f) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to carry out the purposes of this section.

Sec. 8. Subsection (b) of section 46b-15 of the general statutes is repealed and the following is substituted in lieu thereof:

(b) The application form shall allow the applicant, at the applicant's option, to indicate whether the respondent holds a permit to carry a pistol or revolver or possesses one or more firearms. The application shall be accompanied by an affidavit made under oath which includes a brief statement of the conditions from which relief is sought. Upon receipt of the application the court shall order that a hearing on the application be held not later than fourteen days from the date of the order. The court, in its discretion, may make such orders as it deems appropriate for the protection of the applicant and such dependent children or other persons as the court sees fit. Such order may include temporary child custody or visitation rights and such relief may include but is not limited to an order enjoining the respondent from (1) imposing any restraint upon the person or liberty of the applicant; (2) threatening, harassing, assaulting, molesting, sexually assaulting or attacking the applicant; or (3) entering the family dwelling or the dwelling of the applicant. If an applicant alleges an immediate and present physical danger to the applicant, the court may issue an ex parte order granting such relief as it deems appropriate. If a postponement of a hearing on the application is requested by either party and granted, the order shall not be continued except upon agreement of the parties or by order of the court for good cause shown.

Sec. 9. Subsection (e) of section 46b-15 of the general statutes is

474 repealed and the following is substituted in lieu thereof:

475 (e) The applicant shall cause notice of the hearing pursuant to  
476 subsection (b) of this section and a copy of the application and of any  
477 ex parte order issued pursuant to subsection (b) of this section to be  
478 served on the respondent not less than five days before the hearing.  
479 Upon the granting of an ex parte order, the clerk of the court shall  
480 provide two certified copies of the order to the applicant and a copy to  
481 the Family Division. Upon the granting of an order after notice and  
482 hearing, the clerk of the court shall provide two certified copies of the  
483 order to the applicant and a copy to the Family Division and a copy to  
484 the respondent. Every order of the court made in accordance with this  
485 section after notice and hearing shall contain the following language:  
486 "This court had jurisdiction over the parties and the subject matter  
487 when it issued this protection order. Respondent was afforded both  
488 notice and opportunity to be heard in the hearing that gave rise to this  
489 order. Pursuant to the Violence Against Women Act of 1994, 18 USC  
490 2265, this order is valid and enforceable in all fifty states, any territory  
491 or possession of the United States, the District of Columbia, the  
492 Commonwealth of Puerto Rico and tribal lands." The clerk of the court  
493 shall send a certified copy of any ex parte order and of any order after  
494 notice and hearing to the [appropriate] law enforcement agency for the  
495 town in which the applicant resides and, if the respondent resides in a  
496 town different than the town in which the applicant resides, to the law  
497 enforcement agency for the town in which the respondent resides,  
498 within forty-eight hours of [its] the issuance of such order. If the  
499 applicant is employed in a town different than the town in which the  
500 applicant resides, the clerk of the court shall, upon the request of the  
501 applicant, send a certified copy of any such order, to the law  
502 enforcement agency for the town in which the applicant is employed  
503 within forty-eight hours of the issuance of such order.

504 Sec. 10. Subsections (c) and (d) of section 46b-38c of the general  
505 statutes are repealed and the following is substituted in lieu thereof:

506 (c) Each such local family violence intervention unit shall: (1) Accept



507 referrals of family violence cases from a judge or prosecutor, (2)  
508 prepare written or oral reports on each case for the court by the next  
509 court date to be presented at any time during the court session on that  
510 date, (3) provide or arrange for services to victims and offenders, (4)  
511 administer contracts to carry out said services, and (5) establish  
512 centralized reporting procedures. All information provided to a family  
513 relations officer in a local family violence intervention unit shall be for  
514 the sole purpose of preparation of the report for each case and  
515 recommendation of services and shall otherwise be confidential and  
516 retained in the files of such unit, and not be subject to subpoena or  
517 other court process for use in any other proceeding or for any other  
518 purpose, except that if the victim has indicated that the defendant  
519 holds a permit to carry a pistol or revolver or possesses one or more  
520 firearms, the family relations officer shall disclose such information to  
521 the court and the prosecuting authority.

522 (d) In all cases of family violence, a written or oral report and  
523 recommendation of the local intervention unit shall be available to a  
524 judge at the first court date appearance to be presented at any time  
525 during the court session on that date. A judge of the Superior Court  
526 may consider and impose the following conditions to protect the  
527 parties, including but not limited to: (1) Issuance of a protective order  
528 pursuant to subsection (e) of this section; [such order shall be an order  
529 of the court, and the clerk of the court shall cause (A) a certified copy  
530 of such order to be sent to the victim, and (B) a certified copy of such  
531 order to be sent within forty-eight hours of its issuance to the  
532 appropriate law enforcement agency;] (2) prohibition against  
533 subjecting the victim to further violence; (3) referral to a family  
534 violence education program for batterers; and (4) immediate referral  
535 for more extensive case assessment. Such protective order shall be an  
536 order of the court, and the clerk of the court shall cause (A) a certified  
537 copy of such order to be sent to the victim, and (B) a certified copy of  
538 such order to be sent within forty-eight hours of its issuance to the law  
539 enforcement agency for the town in which the victim resides and, if the  
540 defendant resides in a town different than the town in which the

541 victim resides, to the law enforcement agency for the town in which  
542 the defendant resides. If the victim is employed in a town different  
543 than the town in which the victim resides, the clerk of the court shall,  
544 upon the request of the victim, send a certified copy of such order to  
545 the law enforcement agency for the town in which the victim is  
546 employed within forty-eight hours of the issuance of such order.

547 Sec. 11. Section 29-36n of the general statutes is repealed and the  
548 following is substituted in lieu thereof:

549 (a) The Commissioner of Public Safety, in conjunction with the Chief  
550 State's Attorney and the Connecticut Police Chiefs Association, shall  
551 develop a protocol to ensure that persons who become ineligible to  
552 possess a pistol or revolver have, in accordance with section 29-36k,  
553 transferred such pistol or revolver to a person eligible to possess such  
554 pistol or revolver or have delivered or surrendered such pistol or  
555 revolver to said commissioner.

556 (b) The Commissioner of Public Safety, in conjunction with the  
557 Chief State's Attorney and the Connecticut Police Chiefs Association,  
558 shall update the protocol developed pursuant to subsection (a) of this  
559 section to reflect the provisions of this act.

560 Sec. 12. Section 53a-217 of the general statutes is repealed and the  
561 following is substituted in lieu thereof:

562 (a) A person is guilty of criminal possession of a firearm or  
563 electronic defense weapon when such person possesses a firearm or  
564 electronic defense weapon and (1) has been convicted of a felony, [or]  
565 (2) has been convicted as delinquent for the commission of a serious  
566 juvenile offense, as defined in section 46b-120, (3) knows that such  
567 person is subject to a restraining or protective order issued by a court,  
568 after notice and an opportunity to be heard has been provided to such  
569 person, in a case involving the use, attempted use or threatened use of  
570 physical force against another person, or (4) knows that such person is  
571 subject to a firearms seizure order issued pursuant to subsection (d) of  
572 section 29-38c after notice and an opportunity to be heard has been

573 provided to such person. For the purposes of this section, "convicted"  
574 means having a judgment of conviction entered by a court of  
575 competent jurisdiction.

576 (b) Criminal possession of a firearm or electronic defense weapon is  
577 a class D felony, for which two years of the sentence imposed may not  
578 be suspended or reduced by the court."

579